

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

CORY L. COTTER,  
2450 Park Way  
East Liverpool, Ohio 43920

Plaintiff,

v.

BETHANY COLLEGE,  
c/o Dr. Tamara Nichols Rodenberg  
31 East Campus Drive  
Bethany, West Virginia 26032

and

THE TRUSTEES OF BETHANY  
COLLEGE,  
c/o Dennis E. McMaster  
31 East Campus Drive #3  
Bethany, West Virginia 26032

and

THE BETHANY FOUNDATION, LLC,  
c/o William R. Kiefer  
31 East Campus Drive #3  
Bethany, West Virginia 26032

and

BETHANY COLLEGE ALUMNI  
ASSOCIATION, INC.,  
c/o Gregory Caprara  
31 East Campus Drive  
Bethany, West Virginia 26032

and

CASE NO.: \_\_\_\_\_

JUDGE: \_\_\_\_\_

**COMPLAINT**

**(OTHER TORTS)**

**JURY DEMAND ENDORSED HEREON**

DR. TAMARA NICHOLS )  
RODENBERG, )  
31 East Campus Drive )  
Bethany, West Virginia 26032 )  
)  
and )  
)  
EDUCATIONAL & INSTITUTIONAL )  
INSURANCE ADMINISTRATORS, )  
INC., )  
c/o Benjamin P. Sykes )  
111 South Wacker Drive, Suite 4100 )  
Chicago, Illinois 60606 )  
)  
and )  
)  
EAN HOLDINGS, LLC dba )  
ENTERPRISE RENT-A-CAR, )  
5098 Washington Street West, Suite 407 )  
Charleston, West Virginia 25313-1561 )  
)  
and )  
)  
STEPHEN P. THOMPSON, )  
31 East Campus Drive )  
Bethany, West Virginia 26032 )  
)  
and )  
)  
JOHN/JANE DOES NOS. 1-10, )  
*True Names and Addresses Unknown* )  
)  
Defendants. )  
)  
)  
)

Now comes Plaintiff, Cory L. Cotter, by and through undersigned counsel, and for his  
Complaint against the Defendants hereby states the following:

**PARTIES**

1. Plaintiff, Cory L. Cotter, is an individual who, at all times relevant to this Complaint,  
resided in the County of Columbiana, State of Ohio.

2. Defendant, Bethany College, is a West Virginia non-profit corporation, with its principal place of business located at 31 East Campus Drive, Bethany, County of Brook, State of West Virginia, and at all times relevant to this Complaint, transacted business in the County of Columbiana, State of Ohio, being within the Northern District of Ohio.

3. Defendant, The Trustees of Bethany College, is a West Virginia non-profit corporation, with its principal place of business located at 31 East Campus Drive, Bethany, County of Brook, State of West Virginia, and at all times relevant to this Complaint, transacted business in the County of Columbiana, State of Ohio, being within the Northern District of Ohio.

4. Defendant, The Bethany Foundation, LLC, is a West Virginia non-profit limited liability company, with its principal place of business located at 31 East Campus Drive, Bethany, County of Brook, State of West Virginia, and at all times relevant to this Complaint, transacted business in the County of Columbiana, State of Ohio, being within the Northern District of Ohio.

5. Defendant, Bethany College Alumni Association, Inc., is a West Virginia non-profit corporation, with its principal place of business located at 31 East Campus Drive, Bethany, West Virginia, and at all times relevant to this Complaint, transacted business in the County of Columbiana, State of Ohio, being within the Northern District of Ohio.

6. Defendant, Dr. Tamara Nichols Rodenberg, is an individual who, at all times relevant to this Complaint, held the position as President of Bethany College while residing in the County of Brooke, State of West Virginia.

7. All Counts in this Complaint, including the references and/or allegations contained therein, pertaining to Defendant, Bethany College, shall collectively refer to the following Defendants: Bethany College, The Trustees of Bethany College, The Bethany Foundation, LLC, Bethany

College Alumni Association, Inc., Dr. Tamara Nichols Rodenberg and/or their authorized agents, employees, and servants.

8. Defendant, Educational & Institutional Insurance Administrators, Inc. (hereinafter referred to as “EIIA, Inc.”), is an Illinois non-profit corporation, with its principal place of business located at 111 South Wacker Drive, Suite 4100, Chicago, Illinois, and at all times relevant to this Complaint, transacted business in the County of Columbiana, State of Ohio, being within the Northern District of Ohio.

9. Defendant, EAN Holdings, LLC dba Enterprise Rent-A-Car (hereinafter referred to as “Enterprise”), is a Delaware limited liability company, with its principal place of business located at 600 Corporate Park Drive, St. Louis, Missouri, and at all times relevant to this Complaint, transacted business in the County of Columbiana, State of Ohio, being within the Northern District of Ohio.

10. Defendant, Stephen P. Thompson, is an individual who, at all times relevant to this Complaint, held the position as Athletic Director of Bethany College while residing in the County of Brooke, State of West Virginia.

11. Plaintiff is informed and believes and thereon alleges that the fictitiously-named Defendants sued as John/Jane Does Nos. 1-10 (hereinafter referred to as “John/Jane Doe 1-10”) are persons, partnerships or corporations whose identity could not be readily ascertained despite the exercise of due diligence, but whose conduct contributed to the injury of Plaintiff. Plaintiff will amend or supplement this Complaint to allege the true names and capacities of such fictitiously-named Defendants when the same have been ascertained.

**JURISDICTION AND VENUE**

12. This is an action for damages that exceeds the sum of SEVENTY-FIVE THOUSAND (\$75,000) DOLLARS and this Court has diversity jurisdiction pursuant to 28 U.S.C. § 1332 as complete diversity exists between the parties.

13. This Action arises from injuries sustained by the Plaintiff, Cory L. Cotter, when he was involved in motorcycle crash with by an automobile driven by Defendant, Stephen P. Thompson, which was owned, leased and/or operated by Defendants, Bethany College, EIIA, Inc. and/or Enterprise, by and through their agents, employees and/or servants, at the intersection of Lisbon Street and West 8th Street in the City of East Liverpool, County of Columbiana, State of Ohio.

14. Venue is proper in this District pursuant to 28 U.S.C. § 1391 in that the events or omissions giving rise to these claims occurred in this District, and Plaintiff's damages accrued in the Northern District of Ohio, Eastern Division.

15. Upon information and belief, at all times relevant, all Defendants were present and transacted, solicited and conducted business in the Northern District of Ohio, through its employees, agents, servants and/or contractors, and derived substantial revenue from such business in the District.

16. All Defendants are conclusively presumed to have been doing business in this State and are subject to Ohio long arm jurisdiction.

17. At all times relevant, Defendants expected, or should have expected, that their acts and omissions would have consequence within the State of Ohio, including within the Northern District.

**FACTUAL ALLEGATIONS**

18. On or about August 28, 2019, Defendant, Stephen P. Thompson, was employed as the Athletic Director and Head Golf Coach of Defendant, Bethany College, located in the County of Brooke, State of West Virginia.

19. In his employment roles as Athletic Director and Head Golf Coach for Bethany College, Defendant, Stephen P. Thompson, was required to travel to off-campus locations for the purposes of promoting Bethany College and recruiting prospective student athletes to attend the institution.

20. In order to facilitate the travel responsibilities, Defendant, Stephen P. Thompson, was provided with a vehicle, being a 2019 Nissan Pathfinder, that was owned, leased, operated, registered and/or maintained by Defendants, Bethany College, EIIA, Inc. and/or Enterprise.

21. On or about August 28, 2019, Defendant, Stephen P. Thompson, was operating the aforementioned 2019 Nissan Pathfinder westbound on West 8th Street in the City of East Liverpool, County of Columbiana.

22. At all times relevant to this Complaint, Defendant, Stephen P. Thompson, was acting in the scope and course his employment and/or agency relationship(s) with Defendants, Bethany College, EIIA, Inc. and/or Enterprise.

23. As Defendant, Stephen P. Thompson's company issued vehicle approached the intersection of West 8th Street and Lisbon Street in East Liverpool, Ohio, Plaintiff, Cory L. Cotter, was operating a motorcycle southbound on Lisbon Street approaching the intersection with a green light.

24. When Plaintiff, Cory L. Cotter, entered the intersection with the right-of-way, Defendant, Stephen P. Thompson, while in the scope and course of his employment and/or agency

relationships, disregarded the traffic control devices at the intersection of West 8th Street and Lisbon Street.

25. Due to the blatant disregard of the established traffic control devices at the intersection, Defendant, Stephen P. Thompson, failed to stop for a clearly visible red light and violently crashed into the right side of the motorcycle operated by Plaintiff, Cory L. Cotter.

26. At all times relevant to this Complaint, Plaintiff, Cory L. Cotter, possessed the right-of-way at the intersection of West 8th Street and Lisbon Street prior to the point when Defendant, Stephen P. Thompson, failed to obey the traffic control devices and wrongfully accelerated into Plaintiff's motorcycle causing Plaintiff to be tragically ejected into the roadway.

27. Due to the significant collision, the East Liverpool Police Department, including Officer Jay P. Lane, were dispatched to the scene. Upon arrival, Plaintiff, Cory L. Cotter, was found helplessly positioned on the side of the road with what was described by medical personnel as a "gross deformity to right lower leg" with "open fracture" accumulating a Revised Trauma Score of 12.

28. The crash investigation performed by Officer Jay P. Lane of the East Liverpool Police Department concluded that Defendant, Stephen P. Thompson's failure to obey traffic control devices by running a red light was the sole cause of his vehicle crashing into the right side of the motorcycle operated by Plaintiff, Cory L. Cotter.

29. Plaintiff, Cory L. Cotter's traumatic injuries were so significant that EMS contacted life flight personnel, and Plaintiff was emergently transported by helicopter to UMPC Presbyterian for lifesaving medical and surgical procedures due to the injuries caused by Defendant, Stephen P. Thompson, while he acted in the scope and course of his employment and/or agency with Defendants, Bethany College, EIHA, Inc., and/or Enterprise.

30. As a result of the traumatic crash, Plaintiff, Cory L. Cotter, suffered personal injuries, incurred medical expenses in excess of \$900,000.00, was required to seek significant medical care, including but not limited to, multiple surgeries and skin grafts, suffered tremendous pain of mind and body, incurred financial obligations, present wage loss and loss of future earnings potential, as well as other injury, damage and loss, all of which will continue into the future.

31. Plaintiff, Cory L. Cotter's injuries amount to a gross substantial physical deformity as that term is defined by R.C. 2315.18. Plaintiff's injuries are permanent in nature and will require significant medical treatment into the future.

**FIRST CLAIM**

**(Negligence/Vicarious Liability of Defendants, Bethany College, Trustees of Bethany College, The Bethany Foundation, LLC, Bethany College Alumni Association, Inc., and Dr. Tamara Nichols Rodenberg)**

32. Plaintiff restates and realleges each and every allegation contained above as if expressly rewritten herein.

33. All references contained herein pertaining to Defendant, Bethany College, shall collectively refer to Defendants, Bethany College, Trustees of Bethany College, The Bethany Foundation, Bethany College Alumni Association, Inc. , Dr. Tamara Nichols Rodenberg, and its employees, agents, servants and contractors.

34. Defendant, Stephen P. Thompson, while actively engaged in his employment and/or agency as Athletic Director and Head Golf Coach of Defendant, Bethany College, had a duty to operate Defendant, Bethany College's motor vehicle in a safe and reasonable manner.

35. Defendant, Bethany College, by and through its employees, agents, servants and contractors had a duty to act reasonably in hiring and retaining Defendant, Stephen P. Thompson, and to promulgate and enforce rules and regulations to ensure its employees and motor vehicles were reasonably safe during operation.



36. Defendant, Stephen P. Thompson, failed in the above-mentioned duties and was therefore negligent in the operation of Defendant, Bethany College's motor vehicle when he failed to obey the traffic control devices in the area, ran a red light and crashed broadside into the motorcycle driven by Plaintiff, Cory L. Cotter, at the intersection of West 8th Street and Lisbon Street in the City of East Liverpool, County of Columbiana, State of Ohio.

37. At all times relevant, Defendant, Stephen P. Thompson, was the employee, agent, servant and/or contractor of Defendant, Bethany College. Accordingly, Defendant, Bethany College, is vicariously liable for the acts and/or omissions of Defendant, Stephen P. Thompson.

38. Defendant, Stephen P. Thompson's negligent actions while in the scope and course of his employment and/or agency with Defendant, Bethany College, were a direct and proximate cause of the crash involving Plaintiff, Cory L. Cotter.

39. As a direct and proximate result of Defendant, Stephen P. Thompson's negligence while he was acting in his scope and course of work for Defendant, Bethany College, as an employee, agent, servant and/or contractor, Plaintiff, Cory L. Cotter, suffered personal injuries, incurred medical expenses in excess of \$900,000.00, was required to seek significant medical care, including but not limited to, multiple surgeries and skin grafts, suffered tremendous pain of mind and body, incurred financial obligations, present wage loss and loss of future earnings potential, as well as other injury, damage and loss, all of which will continue into the future.

40. Plaintiff, Cory L. Cotter's injuries amount to a gross substantial physical deformity as that term is defined by R.C. 2315.18. Plaintiff's injuries are permanent in nature and will require significant medical treatment into the future.

**SECOND CLAIM**

**(Negligence/Vicarious Liability of Educational & Institutional Insurance Administrators, Inc.)**

41. Plaintiff restates and realleges each and every allegation contained above as if expressly rewritten herein.

42. Defendant, Stephen P. Thompson, while actively engaged in his employment and/or agency as Athletic Director and Head Golf Coach of Defendant, Bethany College, and his employment and agency with Defendant, EIIA, Inc., had a duty to operate Defendant, EIIA, Inc.'s motor vehicle in a safe and reasonable manner.

43. Defendant, EIIA, Inc., by and through its employees, agents, servants and contractors had a duty to act reasonably in hiring and retaining Defendant, Stephen P. Thompson, and to promulgate and enforce rules and regulations to ensure its employees and motor vehicles were reasonably safe during operation.

44. Defendant, Stephen P. Thompson, failed in the above-mentioned duties and was therefore negligent in the operation of Defendant, EIIA, Inc.'s motor vehicle when he failed to obey the traffic control devices in the area, ran a red light and crashed broadside into the motorcycle driven by Plaintiff, Cory L. Cotter, at the intersection of West 8th Street and Lisbon Street in the City of East Liverpool, County of Columbiana, State of Ohio.

45. At all times relevant, Defendant, Stephen P. Thompson, was the employee, agent, servant and/or contractor of Defendant, EIIA, Inc. Accordingly, Defendant, EIIA, Inc., is vicariously liable for the act and/or omissions of Defendant, Stephen P. Thompson.

46. Defendant, Stephen P. Thompson's negligent actions while in the scope and course of his employment and/or agency with Defendant, EIIA, Inc., were a direct and proximate cause of the crash involving Plaintiff, Cory L. Cotter.

47. As a direct and proximate result of Defendant, Stephen P. Thompson's negligence while he was acting in his scope and course of work for Defendant, EIIA, Inc., as an employee, agent, servant and/or contractor, Plaintiff, Cory L. Cotter, suffered personal injuries, incurred medical expenses in excess of \$900,000.00, was required to seek significant medical care, including but not limited to, multiple surgeries and skin grafts, suffered tremendous pain of mind and body, incurred financial obligations, present wage loss and loss of future earnings potential, as well as other injury, damage and loss, all of which will continue into the future.

48. Plaintiff, Cory L. Cotter's injuries amount to a gross substantial physical deformity as that term is defined by R.C. 2315.18. Plaintiff's injuries are permanent in nature and will require significant medical treatment into the future.

### **THIRD CLAIM**

#### **(Negligence/Vicarious Liability of EAN Holdings, LLC dba Enterprise Rent-A-Car)**

49. Plaintiff restates and realleges each and every allegation contained above as if expressly rewritten herein.

50. Defendant, Stephen P. Thompson, while actively engaged in his employment and/or agency as Athletic Director and Head Golf Coach of Defendant, Bethany College, and his employment and agency with Defendant, Enterprise, had a duty to operate Defendant, Enterprise's motor vehicle in a safe and reasonable manner.

51. Defendant, Enterprise, by and through its employees, agents, servants and contractors had a duty to act reasonably in hiring and retaining Defendant, Stephen P. Thompson, and to promulgate and enforce rules and regulations to ensure its employees and motor vehicles were reasonably safe during operation.

52. Defendant, Stephen P. Thompson, failed in the above-mentioned duties and was therefore negligent in the operation of Defendant, Enterprise's motor vehicle when he failed to obey the

traffic control devices in the area, ran a red light and crashed broadside into the motorcycle driven by Plaintiff, Cory L. Cotter, at the intersection of West 8th Street and Lisbon Street in the City of East Liverpool, County of Columbiana, State of Ohio.

53. At all times relevant, Defendant, Stephen P. Thompson, was the employee, agent, servant and/or contractor of Defendant, Enterprise. Accordingly, Defendant, Enterprise, is vicariously liable for the act and/or omissions of Defendant, Stephen P. Thompson.

54. Defendant, Stephen P. Thompson's negligent actions while in the scope and course of his employment and/or agency with Defendant, Enterprise, were a direct and proximate cause of the crash involving Plaintiff, Cory L. Cotter.

55. As a direct and proximate result of Defendant, Stephen P. Thompson's negligence while he was acting in his scope and course of work for Defendant, Enterprise, as an employee, agent, servant and/or contractor, Plaintiff, Cory L. Cotter, suffered personal injuries, incurred medical expenses in excess of \$900,000.00, was required to seek significant medical care, including but not limited to, multiple surgeries and skin grafts, suffered tremendous pain of mind and body, incurred financial obligations, present wage loss and loss of future earnings potential, as well as other injury, damage and loss, all of which will continue into the future.

56. Plaintiff, Cory L. Cotter's injuries amount to a gross substantial physical deformity as that term is defined by R.C. 2315.18. Plaintiff's injuries are permanent in nature and will require significant medical treatment into the future.

**FOURTH CLAIM**  
**(Negligence/Vicarious Liability of John/Jane Does Nos. 1-10)**

57. Plaintiff restates and realleges each and every allegation contained above as if expressly rewritten herein.

58. Defendant, Stephen P. Thompson, while actively engaged in his employment and/or agency as Athletic Director and Head Golf Coach of Defendant, Bethany College, and his employment and agency with Defendant, John/Jane Does 1-10, had a duty to operate Defendant, John/Jane Does 1-10's motor vehicle in a safe and reasonable manner.

59. Defendant, John/Jane Does 1-10, by and through its employees, agents, servants and contractors had a duty to act reasonably in hiring and retaining Defendant, Stephen P. Thompson, and to promulgate and enforce rules and regulations to ensure its employees and motor vehicles were reasonably safe during operation.

60. Defendant, Stephen P. Thompson, failed in the above-mentioned duties and was therefore negligent in the operation of Defendant, John/Jane Does 1-10's motor vehicle when he failed to obey the traffic control devices in the area, ran a red light and crashed broadside into the motorcycle driven by Plaintiff, Cory L. Cotter, at the intersection of West 8th Street and Lisbon Street in the City of East Liverpool, County of Columbiana, State of Ohio.

61. At all times relevant, Defendant, Stephen P. Thompson, was the employee, agent, servant and/or contractor of Defendant, John/Jane Does 1-10. Accordingly, Defendant, John/Jane Does 1-10, is vicariously liable for the act and/or omissions of Defendant, Stephen P. Thompson.

62. Defendant, Stephen P. Thompson's negligent actions while in the scope and course of his employment and/or agency with Defendant, John/Jane Does 1-10, were a direct and proximate cause of the crash involving Plaintiff, Cory L. Cotter.

63. As a direct and proximate result of Defendant, Stephen P. Thompson's negligence while he was acting in his scope and course of work for Defendant, John/Jane Does 1-10, as an employee, agent, servant and/or contractor, Plaintiff, Cory L. Cotter, suffered personal injuries, incurred medical expenses in excess of \$900,000.00, was required to seek significant medical care,

including but not limited to, multiple surgeries and skin grafts, suffered tremendous pain of mind and body, incurred financial obligations, present wage loss and loss of future earnings potential, as well as other injury, damage and loss, all of which will continue into the future.

64. Plaintiff, Cory L. Cotter's injuries amount to a gross substantial physical deformity as that term is defined by R.C. 2315.18. Plaintiff's injuries are permanent in nature and will require significant medical treatment into the future.

**FIFTH CLAIM**  
**(Negligence of Defendant, Stephen P. Thompson)**

65. Plaintiff restates and realleges each and every allegation contained above as if expressly rewritten herein.

66. Defendant, Stephen P. Thompson, had a duty to operate his motor vehicle in a safe and reasonable manner.

67. Defendant, Stephen P. Thompson, failed in the above-mentioned duties and was therefore negligent in the operation of his motor vehicle when he failed to obey the traffic control devices in the area, ran a red light and crashed broadside into the motorcycle driven by Plaintiff, Cory L. Cotter, at the intersection of West 8th Street and Lisbon Street in the City of East Liverpool, County of Columbiana, State of Ohio.

68. As a direct and proximate result of Defendant, Stephen P. Thompson's negligence, Plaintiff, Cory L. Cotter, suffered personal injuries, incurred medical expenses in excess of \$900,000.00, was required to seek significant medical care, including but not limited to, multiple surgeries and skin grafts, suffered tremendous pain of mind and body, incurred financial obligations, present wage loss and loss of future earnings potential, as well as other injury, damage and loss, all of which will continue into the future.

69. Plaintiff, Cory L. Cotter's injuries amount to a gross substantial physical deformity as that term is defined by R.C. 2315.18. Plaintiff's injuries are permanent in nature and will require significant medical treatment into the future.

**SIXTH CLAIM**

**(Negligence of Defendants, Bethany College, Trustees of Bethany College, The Bethany Foundation, LLC, Bethany College Alumni Association, Inc., Dr. Tamara Nichols Rodenberg, Educational & Institutional Insurance Administrators, Inc., EAN Holdings, LLC dba Enterprise Rent-A-Car, and John/Jane Does Nos. 1-10)**

70. Plaintiff restates and realleges each and every allegation contained above as if expressly rewritten herein.

71. Defendants, Bethany College, Trustees of Bethany College, The Bethany Foundation, LLC, Bethany College Alumni Association, Inc., Dr. Tamara Nichols Rodenberg, Educational & Institutional Insurance Administrators, Inc., EAN Holdings, LLC dba Enterprise Rent-A-Car, and John/Jane Does Nos. 1-10, had a duty to act reasonably in hiring and retaining Defendant, Stephen P. Thompson, and to promulgate and enforce rules and regulations to ensure its drives and vehicles were reasonably safe.

72. At all times relevant to this Complaint, the aforementioned Defendants, were the owners of the 2019 Nissan Pathfinder operated by Defendant, Stephen P. Thompson, and were responsible for the maintenance, service, upkeep and operation of the vehicle.

73. Defendants, Bethany College, Trustees of Bethany College, The Bethany Foundation, LLC, Bethany College Alumni Association, Inc., Dr. Tamara Nichols Rodenberg, Educational & Institutional Insurance Administrators, Inc., EAN Holdings, LLC dba Enterprise Rent-A-Car, and John/Jane Does Nos. 1-10, are liable for the careless and negligent acts and/or omissions of its employees, agents, officers, contractors and/or servants, including, but not limited to, Defendant, Stephen P. Thompson, as follows:

- a. Failure to adequately and routinely inspect the qualifications of its motor vehicle operators, including Defendant, Stephen P. Thompson;
  - b. Failure to timely and adequately inspect and/or ensure that all of its motor vehicles were functioning safely and/or fully operational;
  - c. Failure to properly train, monitor and supervise its motor vehicle operators, employees, agents, servants and contractors, including Defendant, Stephen P. Thompson,
  - d. Failure to adopt or enforce manuals and training procedures with respect to the operation of its motor vehicles;
  - e. Failure to adequately maintain its motor vehicles;
  - f. Failure to monitor and regulate the hours of service and speed of its motor vehicle operators, including Defendant, Stephen P. Thompson;
  - g. Failure to discipline Defendant, Stephen P. Thompson, when Defendants knew or should have known he was an unsafe driver and driving in an unsafe manner; and
  - h. Allowing its motor vehicle operators who were physically and mentally unable to safely operate motor vehicles upon the roads and highways of the State of Ohio.
74. The aforementioned careless and negligent acts and/or omissions of the employees, agents, officers, contractors and/or servants, including, but not limited to, Defendant, Stephen P. Thompson, were the direct and proximate cause of the crash with Plaintiff, Cory L. Cotter's motorcycle on or about August 28, 2019 in the City of East Liverpool, County of Columbiana, State of Ohio.
75. As a direct and proximate result of Defendants, Bethany College, Trustees of Bethany College, The Bethany Foundation, LLC, Bethany College Alumni Association, Inc., Dr. Tamara



Nichols Rodenberg, Educational & Institutional Insurance Administrators, Inc., EAN Holdings, LLC dba Enterprise Rent-A-Car, and John/Jane Does Nos. 1-10's negligence, Plaintiff, Cory L. Cotter, suffered personal injuries, incurred medical expenses in excess of \$900,000.00, was required to seek significant medical care, including but not limited to, multiple surgeries and skin grafts, suffered tremendous pain of mind and body, incurred financial obligations, present wage loss and loss of future earnings potential, as well as other injury, damage and loss, all of which will continue into the future.

76. Plaintiff, Cory L. Cotter's injuries amount to a gross substantial physical deformity as that term is defined by R.C. 2315.18. Plaintiff's injuries are permanent in nature and will require significant medical treatment into the future.

**WHEREFORE**, on the First through Sixth Claims, Plaintiff, Cory L. Cotter prays for judgment against Defendants, Bethany College, Trustees of Bethany College, The Bethany Foundation, LLC, Bethany College Alumni Association, Inc., Dr. Tamara Nichols Rodenberg, Educational & Institutional Insurance Administrators, Inc., EAN Holdings, LLC dba Enterprise Rent-A-Car, Stephen P. Thompson, and John/Jane Does Nos. 1-10, jointly and severally, as follows:

- A. Judgment for Plaintiff in an amount in excess of SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00), along with costs and interests from the date of the crash;
- B. Costs of this action; and
- C. Any and all appropriate relief this Court deems equitable and just.

Respectfully submitted,  
**BETRAS, KOPP & HARSHMAN, LLC**

*/s/ Justin A. Markota*

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David J. Betras (0030575)

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*Attorneys for Plaintiff, Cory L. Cotter*

**JURY DEMAND**

Plaintiff hereby demands a trial by jury pursuant to Fed. R. Civ. P. 38.

*/s/ Justin A. Markota*

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David J. Betras (0030575)

Justin A. Markota (0092182)

*Attorneys for Plaintiff, Cory L. Cotter*